

REMARKS

This is responsive to the Official Action dated February 8, 2007 in the application identified above. The Official Action and the art cited have been reviewed. No amendment to the application is believed necessary at this time.

Claims 1 - 26 stand rejected under 35 U.S.C. § 102(b) as anticipated by the U. S. patent No. 6,880,007 to Gardos et al. (patent). It is respectfully urged that this rejection is in error and should be withdrawn.

The Gardos et al. patent was applied in earlier rejections of the now-issued "Domain Name Registration by Proxy" application serial No. 10/624,883, now U. S. patent No. 7,130,878 which is the parent to this divisional application. The examiner's Reasons for Allowance in that application contradict much of what is stated as the bases for rejection in the outstanding Official Action. Further, each of the cited portions of the Gardos et al. patent that the Official Action puts forth is for the support of that patent to the present claims. In no case does the Gardos et al. patent relate to email-by-proxy and the cited portions of the Gardos et al. patent do not express that which the Official Action states.

Each of the claims in this application relates to a proxy email computer installation, method or program. The Gardos et al. '007 patent relates to a domain management system to be hosted by a registrar to allow its customer, i.e. registrants, to monitor and modify records relating to that registrant's domain name or names. See col. 4, lines 59 to 67. There is no mention of an installation, method or program by which an entity (a proxy) stands in as an email recipient for a party that is the intended user of an email. That is what is described and claimed in the present application.

Regarding the rejection of claims 1, 2, 6 and 11, the Official Action states at page 3:

As per claims 1, 2, 6, 11, Gardos teaches a proxy email computer installation including:

A database (fig 3, element 154) in computer memory associating a customer's identification, a customer actual email (fig 4-6) and a customer's proxy email address (150, 160); an email server ...; a computer executable code on a computer usable medium or media providing: first

programming to retrieve a customer's actual email address ...; second programming to forward a second email message to the customer's actual email address; and a connection to a communication link forwarding (fig 4-6) the second email message to the customer's actual email addresses (col. 10-12; col. 7 lines 1 et seq; col. 8 lines 25 et seq; col. 9 lines 1-29).

It is true that Gardos et al. '007 teaches a database at element 154, but not in a "proxy email computer installation." The Gardos et al. '007 patent never mentions proxy email or any proxy whatsoever. Furthermore, the Gardos et al. database 154 does not associate "a customer's identification, a customer's actual address and a customer's email address." The Gardos et al. patent only states that the database 154 stores all registrants' records. Gardos et al. '007 at Col. 8, lines 54 - 56. There is no mention of any storage of a proxy email address.

Note that after a similar such rejection in the above-mentioned parent application, the examiner finally states in his Reasons for Allowance:

The examiner has found that the prior art of record does not disclose or teach or suggest or render obvious a specific combination of a system, method, and computer program for a proxy entity domain name registration comprising: "proxy installation" for receiving and storing personal contact information communicated to the proxy installation by the registrar installation and communicating proxy personal contact information to the registrar; and "registrar installation" responsive the communication of personal contact information by the proxy installation to: submit a registration request and the proxy personal contact information from the proxy installation to a registry as set forth in the specification and recited in the independent claims.

It is not clear what is meant in the outstanding Official Action by "a customer email (fig 4-6)," but the registrar in the Gardos et al. patent probably would store the customer's email address among other contact data in the database 154.

The rejection refers to "a customer's proxy email address (150, 16)." But item 150 of the Gardos et al. '007 is identified by Gardos et al. as the "registrar's web server" and the item 160 as the "domain manager" computer program. Gardos et al. '007 at Column 8, lines 12 to 16. Neither is an email address. Certainly, neither is a "proxy email address."

As for the "programming to retrieve a customer's actual email address," referred to in the Official Action, claim 1 actually calls for "first programming to retrieve a customer's actual

email address from the database upon receipt of the first email message to the customer's proxy email address." Nothing of the kind is found in the Gardos et al. '007 patent.

Method claim 2 recites "associating a proxy email address with a customer having a customer's actual email address." Gardos et al. describe no such step. Claim 6's programming recitations are similar to those of claim 1 discussed above and are distinct from anything in the Gardos et al. '007 patent. Programming claim 11 is similar as well, but also calls for "second programming to identify a first email intended for a customer addressed to the proxy email address." This also distinguishes this claim from the domain name management system of the Gardos et al. '007 patent.

As for the claim 1 provision "second programming to forward a second email message to the customer's actual email address, wherein the second email message is formed from the first email message," the Official Action makes reference to this, but cites no corresponding provision in the Gardos et al. '007 patent. There is no corresponding Gardos et al. feature. Method claim 2 recites, similarly, "receiving an email intended for the customer at the proxy email address; and forwarding the email to the customer's actual email address." This too patentably differs from anything found in the Gardos et al. '007 patent. Similarly, claim 6 recites "third programming to forward the email to the customer's actual email address." No such programming is to be found in the relied-upon Gardos et al. '007 patent. And claim 11 calls for "fourth programming to copy content of the first email to a second email." This, of course, is not in the Gardos et al. '007 patent.

Because of the lack of any teaching of each of the foregoing features of applicants' claims 1, 2, 6 and 11, the rejection of these claims as anticipated by Gardos et al. '007 is incorrect and should be withdrawn. Each of claims 1, 2, 6 and 11 patentably differ from the Gardos et al. '007 patent and should be allowed.

That Gardos et al. '007 does not teach or make obvious the features of claims 1, 2, 6 and 11 is understandable. Gardos et al. reveal no purpose for masking a registrant's actual email address, but rather only provide for a registrant's management of multiple domain names, a not-at-all related activity with no incentive for arriving at the invention of applicants' claims.

All of the remaining claims in this application are dependent claims, incorporating by their dependencies the features of one of the independent claims 1, 2, 6 and 11. By their dependency, then, and in addition to any further patentable content, these claims patentably differ from the Gardos et al. patent and should now be allowed.

In conclusion, each of the claims in this application clearly patentably differs from the Gardos et al. '007 patent. Favorable reexamination of this application to that end is respectfully requested.

Should the examiner have questions, comments or suggestions regarding this application, the examiner is invited to please contact the undersigned at the telephone number or email address listed below.

Respectfully submitted,

GALLAGHER & KENNEDY, P.A.

A handwritten signature in black ink, appearing to read 'TDMacBlain', written in a cursive style.

Date: May 4, 2007

By: Thomas D. MacBlain
Reg. No. 24,583
Attorneys for Applicant

Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, AZ 85016-9225
Telephone: (602) 530-8088
Facsimile: (602) 530-8500
Email: tdm@gknet.com